

\* \* \* REMARKS \* \* \* \*

A. AMENDMENTS TO THE DISCLOSURE

Applicant has amended the disclosure at several places to clarify the disclosure and to correct inadvertent errors.

B. SUBMISSION OF SUBSTITUTE FORMAL DRAWING

LETTER TO THE DRAFTSPERSON

Submitted herewith is a separate letter to the Draftsperson containing one sheet of replacement formal drawings and one sheet of new formal drawing.

C. DISCLOSURE SUPPORT FOR REPLACEMENT CLAIMS

Applicant has canceled original Claims 1-13, and replaced them with new Claims 14-34. The new claims are in better form and more clearly present the invention. The concept underlying each element (or step) of these new apparatus (or method) claims is disclosed and claimed in the specification as filed, as fully documented in the following list.

Claim 14 - The general subject matter of new cuvette Claim 14 may be found in original Claim 9 and in the written description on page 6, lines 1-12.

Claim 15 - The silicon nitride window "thickness of from about 0.01 of a micrometer to about 5 micrometers" of new Claim 15 is the subject matter of original Claim 10 and is disclosed in the written description on page 8, lines 7-8.

Claim 16 - The general subject matter of new method Claim 16 may be found in original Claim 11 and in the written description on page 7, line 11 to page 8, line 11.

Claim 17 - The silicon wafer of new Claim 17 is the subject matter of original Claim 12 and is disclosed in the written description on page 6, lines 4-5 and in FIG. 1 A-D.

Claim 18 - The silicon nitride window "thickness of from about 0.01 of a micrometer to about 5 micrometers" of new Claim 18 is the subject matter of original Claim 13 and is disclosed in the written description on page 8, lines 7-8.

Claim 19 - The general subject matter of new microsampling Claim 19 may be found in original Claim 1 and in the written description on page 6, lines 1-12. The "sampling side" and "viewing side" are supported by the transparent nature of the chamber window "to facilitate optical readouts of the specimen" (page 6, line 9).

Claim 20 - The silicon substrate limitation of new Claim 20 is the subject matter of original Claim 2 and is disclosed in the written description on page 5, lines 2-3.

Claim 21 - The silicon substrate "thickness of about 500 micrometers" of new Claim 21 is the subject matter of original Claim 3 and is disclosed in the written description on page 7, lines 24-25.

Claim 22 - The silicon nitride window "thickness of from about 0.01 of a micrometer to about 5 micrometers" of new Claim 22 is the subject matter of original Claim 4 and is disclosed in the written description on page 8, lines 7-8.

Claim 23 - The "optical quality" of the silicon nitride window of new Claim 23 is disclosed in the written description on page 6, line 10.

Claim 24 - The "antireflective coating" over the silicon nitride window of new Claim 24 is disclosed in the written description on page 4, line 11 and on page 8, lines 8-10.

Claim 25 - The "magnesium fluoride" antireflective coating of new Claim 25 is disclosed in the written description on page 4, lines 11-12.

Claim 26 - The chamber volume of new Claim 26 is the subject matter of original Claim 5 and is disclosed in the written description on page 6, lines 15-16.

Claim 27 - The closure member of new Claim 27 is supported in the written description on page 7, lines 14-17. Two wafers are bonded together. Such a closure member is required for the operation of the vent (page 8, lines 1-3 and page 6, lines 16-19) and the operation of the bore (page 8, lines 1-3).

Claim 28 - The engagement limitation of new Claim 28 is supported in the written description on page 7, lines 16-17 by the language "bonded together in registration".

Claim 29 - The needle element of new Claim 29 is disclosed in the written description on page 6, lines 13-15. The bore structure of new Claim 29 is disclosed in the written description on page 8, lines 1-3.

Claim 30 - The vent structure of new Claim 30 is disclosed in the written description on page 4, lines 27-28, on page 6, lines 16-19, and on page 8, lines 1-3.

Claim 31 - The "formed in the substrate limitation" of new Claim 31 is disclosed in the written description on page 8, lines 1-3.

Claim 32 - The general subject matter of new method Claim 32 may be found in original Claim 11 and in the written description on page 7, line 11 to page 8, line 11.

Claim 33 - The silicon substrate "thickness of about 500 micrometers" of new Claim 33 is the subject matter of original Claim 3 and is disclosed in the written description on page 7, lines 24-25.

Claim 34 - The silicon nitride window "thickness of from about 0.01 of a micrometer to about 5 micrometers" of new Claim 34 is the subject matter of original Claim 13 and is disclosed in the written description on page 8, lines 7-8.

D. CLEAN COPY OF TEXT FOR 37 CRF 1.121

Applicant has enclosed herewith a "clean" copy of Applicant's written description and abstract incorporating all of the above changes for OCR purposes in compliance with 37 CRF 1.121. Each sheet of the clean

copy has the footer caption "Preliminary Amendment" along with the serial number of this application in order to distinguish the sheets of the enclosed clean copy from the sheets of the earlier original specification.

E. CONCLUSION

The claims remaining in this application are tabulated below:

	Independent	*	Dependent
	Claims	*	Claims
Cuvette	14	*	15
Method	16	*	17-18
Device	19	*	20-31
Method	32	*	33-34

Original Claims 1-13 have been canceled, and replaced by the above tabulated Claims 14-34.

In view of the foregoing, Applicant urges the Examiner to consider the above tabulated pending claims.

enc..

Post Card  
Transmittal Sheet  
Letter to Draftsperson  
2 sheets of drawing  
Clean Specification

Respectfully Submitted



Wilson Smart

Applicant  
October 19, 2001  
(510) 476-0956